

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SANJAY GOSWAMI,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-12-2953
	§	
UNOCAL (Now Chevron)	§	
	§	
Defendant.	§	

ORDER

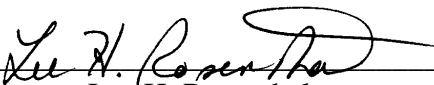
The plaintiff, Sanjay Goswami, has asked this court to appoint him counsel in this suit. (Docket Entry No. 3). Representing himself, Goswami alleges employment discrimination by Chevron, formerly UNOCAL, arising from a claim that he was not paid his profit sharing plan funds due from employment that ended in 1994. Goswami sues under Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, and ERISA. He asserts that he is suffering from renal failure and living on social security benefits.

To appoint counsel under Title VII, this court must examine three factors: (1) the merits of the plaintiff's claims of discrimination; (2) the efforts taken by the plaintiff to obtain counsel; and (3) the plaintiff's financial ability to retain counsel. *Gonzalez v. Carlin*, 907 F.2d 573, 580 (5th Cir. 1990); *Caston v. Sears, Roebuck & Co.*, 556 F.2d 1305, 1309 (5th Cir. 1977); *see also, Salmon v. Corpus Christi Independent School District*, 911 F.2d 1165 (5th Cir. 1990). After reviewing the current record in this case, the court determines that appointment of counsel is premature. The record is insufficient for this court to make a preliminary determination about the merits of

Goswami's case. He has previous experience representing himself in federal court litigating employment discrimination allegations.

The motion is denied at this time.

SIGNED on November 20, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge